

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATHANIEL LEE, JR.,

Petitioner,

v.

JEFF WHITE,

Respondent.

Case No. 2:07-cv-15060

HONORABLE STEPHEN J. MURPHY, III

**ORDER ADOPTING AND AFFIRMING REPORT AND RECOMMENDATION
(docket 14) AND DENYING PETITION FOR WRIT OF HABEAS CORPUS**

This is petition for writ of habeas corpus filed by Petitioner, Nathaniel Lee, Jr. Petitioner is a state prisoner currently confined at the Mound Correctional Center. Before the Court is the Report and Recommendation of Magistrate Judge Paul J. Komives, filed on December 14, 2009. The magistrate judge's report and recommendation recommended that the Court should deny Petitioner's application for the writ of habeas corpus and should also deny petitioner a certificate of appealability. The Magistrate Judge also notified the parties that any objections must be filed within fourteen days of service. No party has filed objections to the report and recommendations.

The Court's standard of review for a magistrate judge's report and recommendation depends upon whether a party files objections. If a party does not object to the report and recommendation, the Court does not need to conduct a review by any standard. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Because neither party filed timely objections to Magistrate Judge Komives' report and recommendation, see 28 U.S.C. § 636(B)(1)(c); Fed. R. Civ. P. 6(e), this Court need not and will not conduct a review.

ACCORDINGLY, IT IS HEREBY ORDERED that the Report and Recommendation [docket entry 14] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that Petitioners application for the writ of habeas corpus is **DENIED**.

IT IS FURTHER ORDERED that a Certificate of Appealability is **DENIED**.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: April 28, 2010

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 28, 2010, by electronic and/or ordinary mail.

Alissa Greer
Case Manager